

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

STEPHANIE GOGGINS AND MARCUS)
LACEY,)
)
Plaintiffs,) Case No. 3:24-cv-00321
)
v.) Judge Aleta A. Trauger
)
ALM PRINTERS, LLC d/b/a HOTEL)
INDIGO.,)
)
Defendant.)

ORDER DENYING MOTION FOR ENTRY OF DEFAULT

Pending is Plaintiffs' Motion for Entry of Default as to Defendant ALM Printers, LLC d/b/a Hotel Indigo. (Doc. No. 8). For the following reasons, Plaintiffs' Motion is **DENIED** without prejudice.

Plaintiffs filed this action on March 19, 2024. (Doc. No. 1). Summons was issued as to ALM Printers, LLC in care of its registered agent for service of process, Corporation Service Company. (Doc. No. 6). On June 25, 2024, Plaintiffs filed a Proof of Service declaration signed by process server, Cason Moreland. (Doc. No. 7). Moreland declares that ALM Printers, LLC was personally served by delivering the summons to Glenda Shepard on May 21, 2024. *Id.* On June 28, 2024, Plaintiffs filed the pending Motion for Entry of Default. (Doc. No. 8).

Pursuant to Local Rule 55.01, motions for entry of default against legal entities must be accompanied by an unsworn declaration under penalty of perjury under 28 U.S.C. § 1746 verifying, among other things, (i) proof of service and (ii) the opposing party's failure to plead or otherwise defend. L.R. 55.01. Plaintiffs' Motion fails to comply with Local Rule 55.01 because it does not include the required unsworn declaration. Accordingly, Plaintiffs' Motion for Entry of

Default (Doc. No. 8) is **DENIED** without prejudice. Should Plaintiffs elect to refile, the Clerk invites Plaintiffs to explain in the declaration how Glenda Shepard qualifies as an individual authorized to accept service of process on behalf of the limited liability company pursuant to Federal Rule of Civil Procedure 4(h) or other applicable law.

s/ Lynda M. Hill

Lynda M. Hill

Clerk of Court